

## 2.0 PROJECT DESCRIPTION

The County of San Luis Obispo has existing ordinance standards and General Plan policies governing agricultural cluster land divisions. These ordinances and policies allow owners of eligible properties to apply for an agricultural cluster subdivision as an alternative to a conventional land division. The proposed ordinance and general plan changes will modify existing criteria and standards associated with agricultural cluster subdivisions in order to reduce environmental impacts and to protect lands for continued and enhanced agricultural production.

The proposed project consists of revisions to the Land Use Ordinance (Title 22 of the County Code), Coastal Zone Land Use Ordinance (Title 23 of the County Code), and the Agriculture Element of the County General Plan.

Key components of the proposed project include:

- Allowing agricultural cluster subdivisions in the Coastal Zone, where this program does not presently exist;
- Eliminating the distinction between major and minor agricultural cluster subdivisions;
- Eliminating the residential density bonus for agricultural cluster subdivisions;
- Precluding the qualifying density for agricultural cluster subdivisions from occurring on lands protected under the Williamson Act;
- Restricting agricultural cluster subdivisions to properties located within five road miles of identified urban reserve areas;
- Increasing the minimum residential parcel size for cluster subdivisions from 10,000 square feet to 2.5 acres;
- Requiring residential cluster parcels to be designed and developed to provide for individual on-site water and wastewater systems;
- Requiring agricultural cluster subdivision design to be more compact and environmentally sensitive;
- Clarifying agricultural buffer policies;
- Expanding the application content requirements for agricultural cluster subdivisions; and
- Maintaining existing residential density standards allowing two primary residences on agricultural parcels located beyond the five road mile URL boundary.

A complete summary of the proposed amendments is provided in Table 2.8-1 at the end of this section.



## 2.1 PROJECT APPLICANT

County of San Luis Obispo  
 County Government Center  
 San Luis Obispo, CA 93408  
 Project Manager: Bill Robeson, Senior Planner

## 2.2 PROJECT AREA

The proposed Agricultural Cluster Subdivision Program would be applied on a countywide basis (refer to Figure 2.2-1, Figure 2.2-2, and Figure 2.2-3). Based on the proposed locational criteria for agricultural cluster subdivisions, the project area can be further refined as follows:

- **Inland Project Area.** The Inland project area consists of Agriculture-designated parcels located partly or entirely within five road miles of the Urban Reserve Lines (URLs) of Arroyo Grande, Atascadero, San Luis Obispo, San Miguel, Nipomo, Templeton, and Paso Robles. Parcels that meet the distance criteria are eligible under the proposed program, provided that the cluster development occurs entirely on the portion of the site that is within five road miles of the URL (refer to Figure 2.2-2). The Inland project area contains 129,712 acres of land within the five road mile boundary and another 37,763 acres of land outside the boundary. These totals exclude 14,393 acres of land which have already been divided through and agricultural cluster subdivision.
- **Coastal Project Area.** The Coastal project area consists of Agriculture-designated parcels within the rural North Coast and Estero planning areas (refer to Figure 2.2-3). No URL distance limitation is proposed in the Coastal Zone. The Coastal project area contains 55,100 acres of land.
- **Exclusion Areas.** Properties located in the Arroyo Grande, Cienega and Oso Flaco valleys and the Hearst Ranch (in the Coastal Zone) would not be eligible for subdivision under the proposed program and are therefore excluded from the project area (refer to Figure 2.2-4 and Figure 2.2-5).

Figure 2.2-6 shows the areas of the county that would be eligible for a cluster subdivision under the existing ordinance. When compared to the existing ordinance, the proposed amendments reduce the area of the county that would be eligible for an agricultural cluster subdivision by 998,674 acres (refer to Table 2.2-1). This reduction is primarily attributable to the proposed five mile distance limitation and exclusion of the Rural Lands category from the program.

**Table 2.2-1: Reduction in Eligible Areas**

Land Use Category	Existing Ordinance (acres)			Proposed Amendments (acres)			Total Reduction (acres)
	Inland	Coastal	Total	Inland	Coastal	Total	
AG	1,069,769	N/A	1,069,769	167,475	55,100	222,575	847,197
RL	151,480	N/A	151,480	N/A	N/A	0	151,480
<b>Total</b>	<b>1,221,249</b>	<b>0</b>	<b>1,221,249</b>	<b>167,475</b>	<b>55,100</b>	<b>222,575</b>	<b>998,674</b>

Source: County of San Luis Obispo Assessor's Parcel Database (June 2011)



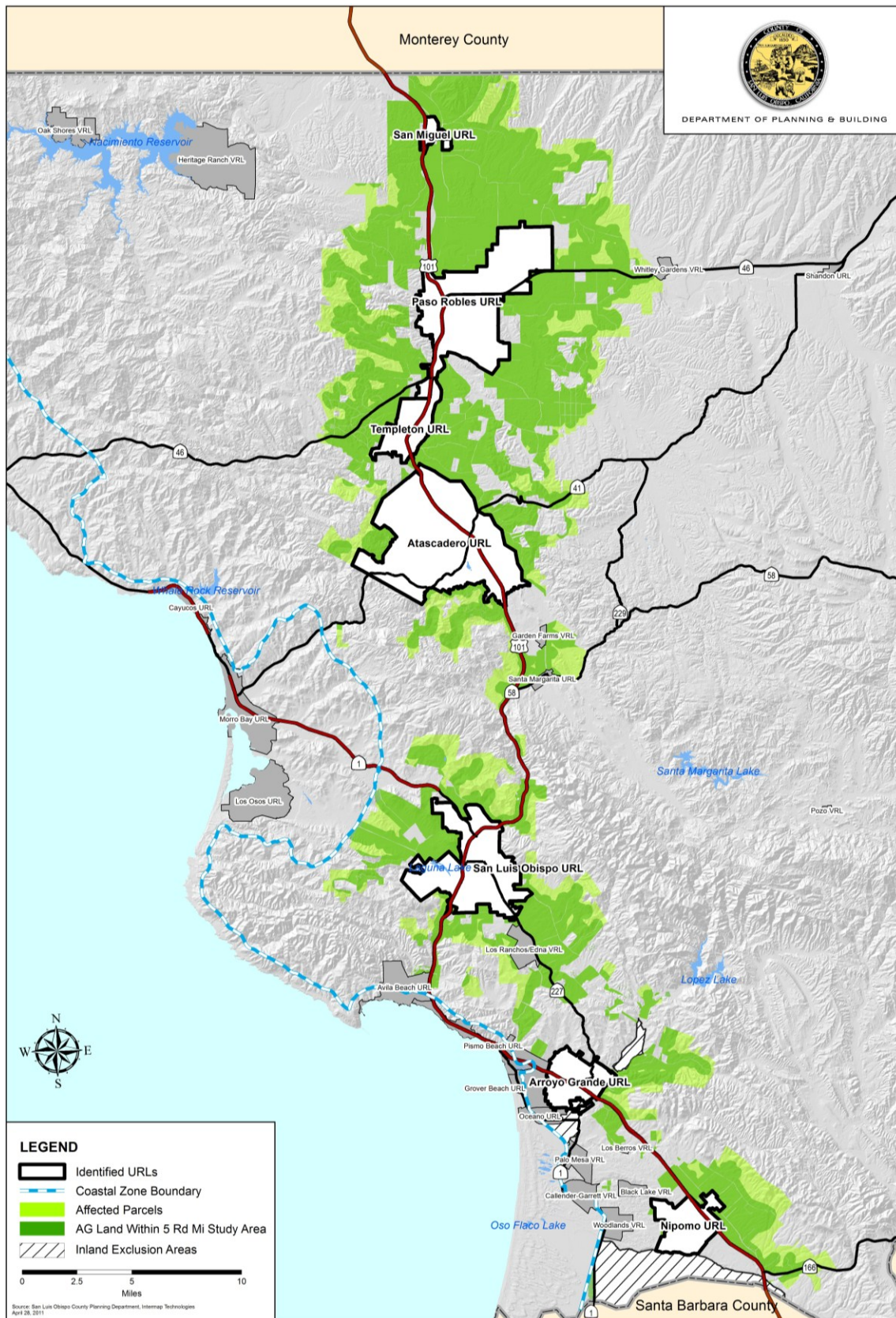
**Figure 2.2-1: County of San Luis Obispo**



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**Figure 2.2-2: Inland Project Area**

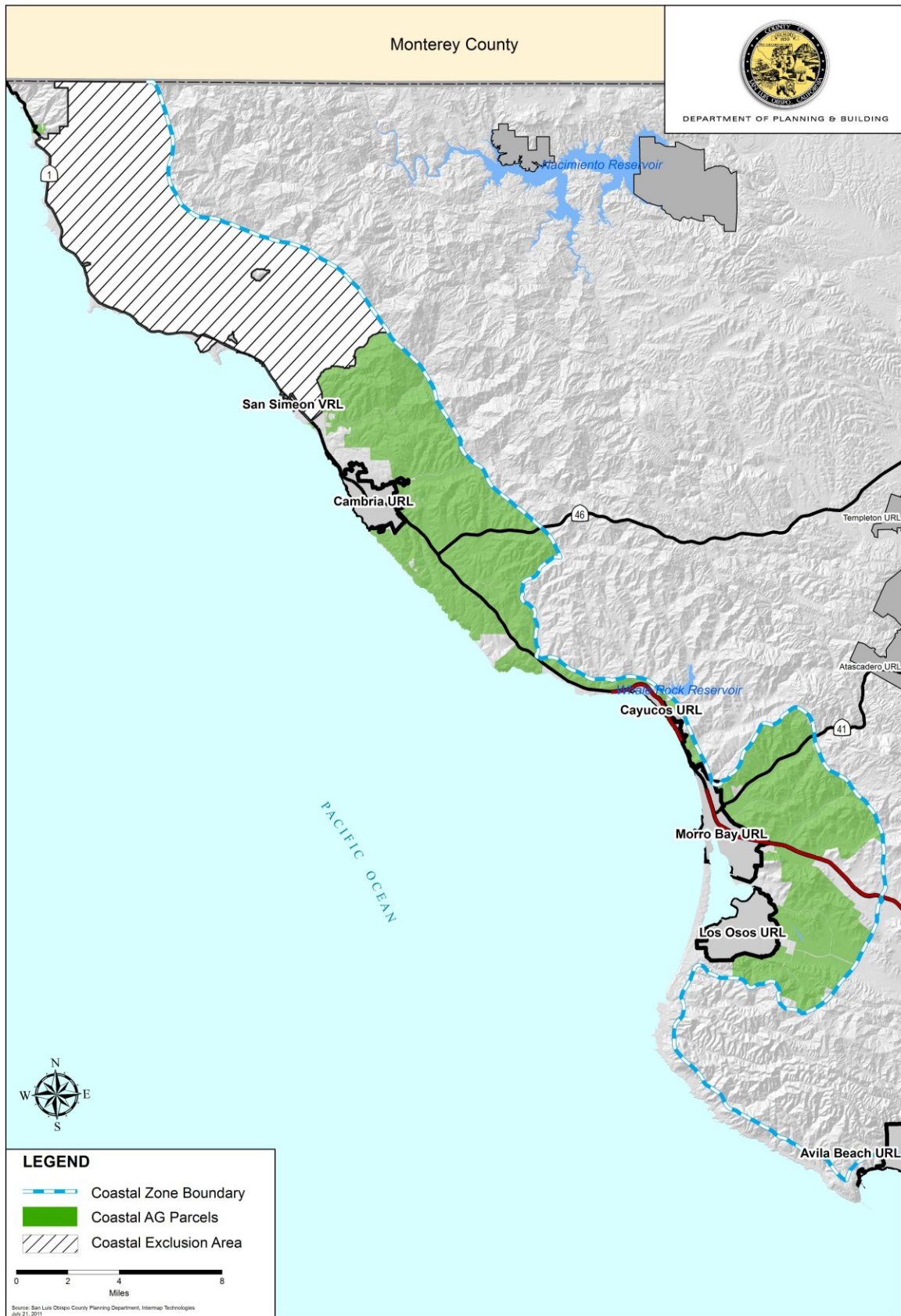


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Figure 2.2-3: Coastal Project Area

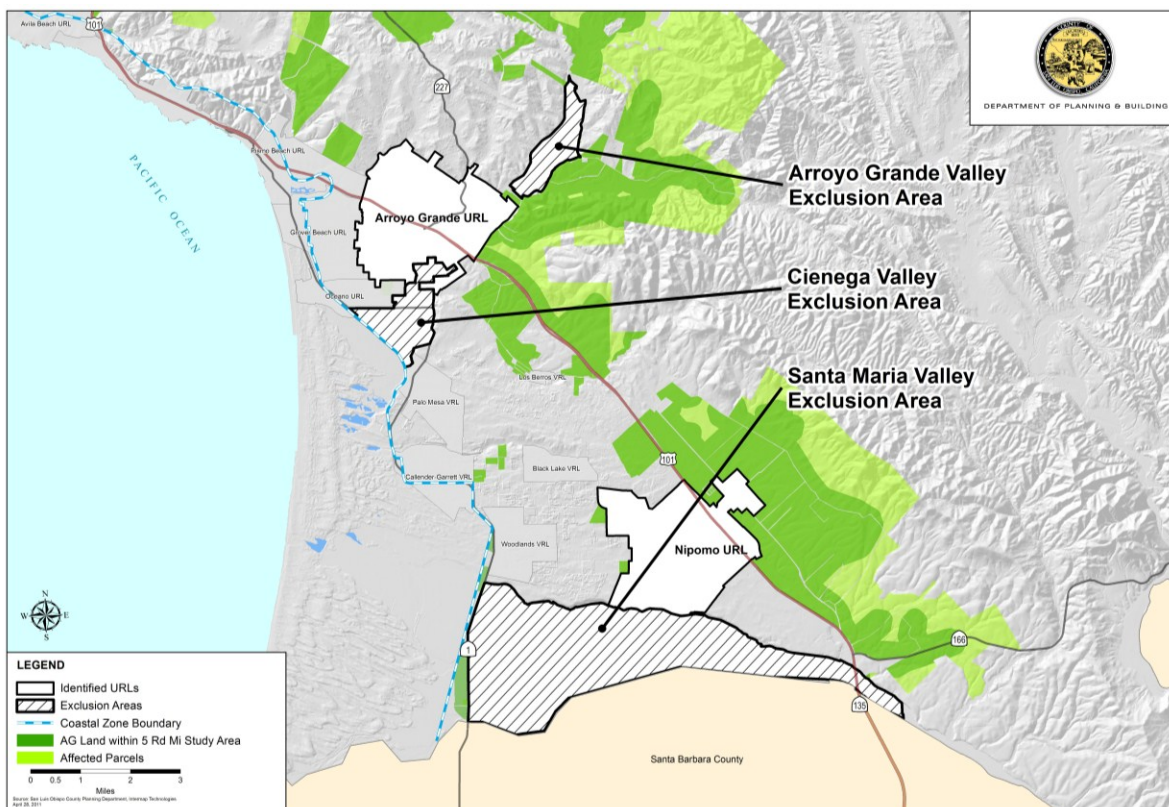


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**Figure 2.2-4: Inland Exclusion Areas: Arroyo Grande, Cienega and Osos Flaco Valleys**



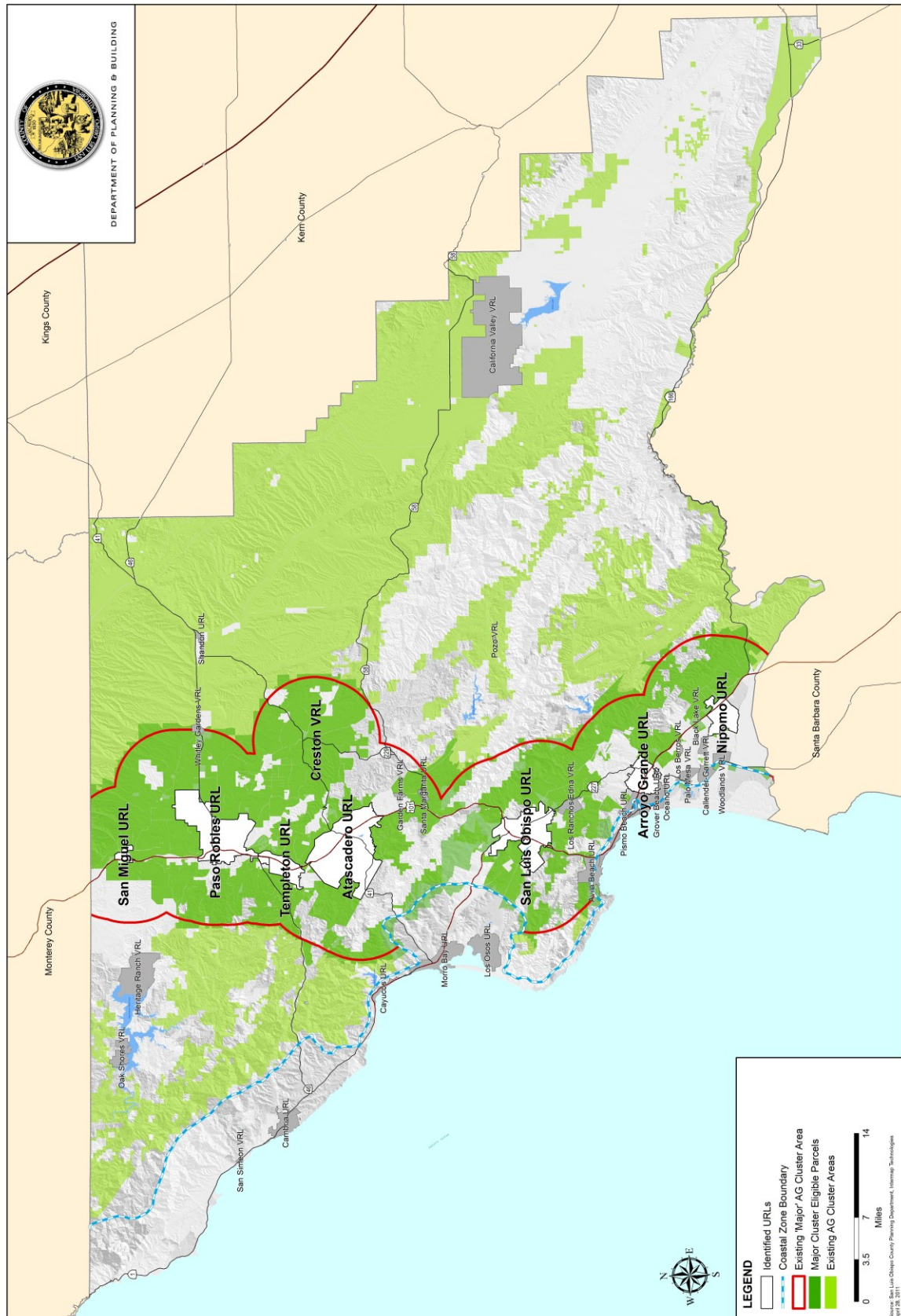
**Figure 2.2-5: Hearst Ranch Exclusion Area**



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**Figure 2.2-6: Eligible Area under Existing Ordinance**



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## 2.3 PROJECT OBJECTIVES

The proposed project consists of revisions to the Land Use Ordinance (Title 22 of the County Code), Coastal Zone Land Use Ordinance (Title 23 of the County Code), and the Agriculture Element of the County General Plan. The State CEQA Guidelines require that the EIR Project Description include "a statement of objectives sought by the proposed project" [State CEQA Guidelines, subsection 15124(b)].

The principal objective of the Agricultural Cluster Subdivision Program is to reduce environmental impacts associated with agricultural cluster subdivisions and protect lands for continued and enhanced agricultural production to a greater extent than the current regulations allow. More specifically, the program should:

- **Improve access to existing infrastructure and services.** Locate agricultural cluster subdivisions in closer proximity to existing infrastructure and services.
- **Implement Strategic Growth policies.** Align the agricultural cluster ordinance standards with the County's adopted Strategic Growth policies of the County Land Use Element, which encourage development to be located within existing urban areas with adequate infrastructure and resources to accommodate future population growth.
- **Introduce program to the Coastal Zone.** Introduce the agricultural cluster subdivision program to the Coastal Zone to allow the reconfiguration of existing legal underlying lots into residential cluster parcels.
- **Accommodate cluster development.** Accommodate agricultural cluster subdivisions through clustering of small, self-sustaining parcels near existing infrastructure and away from remote agricultural lands.
- **Avoid creation of new land use conflicts.** Minimize land use conflicts between residential development and existing and future agricultural operations.
- **Continue agricultural cluster opportunities.** Continue to provide opportunities for cluster subdivisions throughout portions of the County's Agriculture land use category.
- **Protect important farmland.** Reduce the amount of important farmland potentially converted to residential and non-agricultural uses in the Agriculture land use category.





## 2.4 PROJECT BACKGROUND

### 2.4.1 Existing Standards and Policies for Agricultural Cluster Subdivisions

Agricultural cluster subdivisions are discussed in the Agriculture Element of the General Plan. Specifically, there are four policies which govern agricultural cluster subdivisions:

- **Agriculture Policy 20: Agricultural Land Divisions.** This policy discusses how agricultural lands should be divided. It is intended to ensure long-term protection of agricultural resources.
- **Agriculture Policy 21: Minimum Parcel Size Criteria for the Division of Agricultural Lands.** This policy establishes how minimum parcel sizes should be determined to ensure agricultural viability. Minimum parcel sizes for conventional subdivisions dictate the number of residential cluster parcels allowed.
- **Agriculture Policy 22: Major Agricultural Cluster Projects.** This policy establishes provisions for the major agricultural cluster subdivision program. This program is intended only to occur in the Inland portion of the county.
- **Agriculture Policy 23: Minor Agricultural Cluster Projects.** This policy establishes provisions for the minor agricultural cluster subdivision program. This program is intended to apply Countywide.

These policies have been implemented in the Inland portion of the county through Section 22.22.150 of the Land Use Ordinance. Agricultural cluster subdivisions have not yet been implemented in the Coastal Zone portion of the County.

There are two types of agricultural cluster subdivisions established in the Land Use Ordinance:

- **Major agricultural cluster:**
  - Number of residences: Number of residences is based on the number of parcels qualifying under a conventional subdivision, plus up to a 100 percent density bonus.
  - Location: Major agricultural cluster subdivisions may only be located on parcels within 5 miles of a designated Urban Reserve Line or Village Reserve Line, on land designated Agriculture or Rural Lands, except in certain portions of the County.
  - Clustered area: Residential development must be clustered on 5 percent of the site, leaving 95 percent of the site open for agricultural uses.





- **Minor agricultural cluster:**

- Number of residences: Number of residences is based on the number of parcels qualifying under a conventional subdivision, plus up to a 25 percent density bonus (or at least one parcel).
- Location: Minor agricultural cluster subdivisions may occur on any land designated Agriculture or Rural Lands, except in Exclusion Areas.
- Clustered area: Residential development must be clustered on 10 percent of the site, leaving 90 percent of the site open for agricultural uses.

The County's first agricultural cluster subdivision, Varian Ranch, was recorded in 1987. Since that time, the County has processed and approved several agricultural cluster subdivisions, resulting in the creation of 367 residential cluster parcels. Another two agricultural cluster projects (Laetitia and Estrella River Vineyard) have been accepted for processing under the current ordinance and are currently under environmental review. If approved, as currently proposed, these projects would add 102 and 18 new cluster parcels, respectively. Table 2.4-1 summarizes the approved cluster projects. Figure 2.4-1 shows the locations of the approved cluster projects as well as the pending Laetitia and Estrella-Vineyard projects.

**Table 2.4-1: Approved Agricultural Cluster Subdivisions**

Subdivision	Type	Units	Site Area <sup>1</sup>	Location	Approval	Built-out?
Varian Ranch <i>Tract 1254</i>	Major	48	3,250 ac (68 ac / unit)	Edna Valley	12/16/86	Yes
Edna Ranch <i>Tract 2138</i>	Major	51	1,651 ac (32 ac / unit)	Edna Valley	10/18/94	Yes
Talley Farms <i>Tract 2408</i>	Major	84	5,000 ac (60 ac / unit)	Arroyo Grande Valley	01/12/06	Partially
Huer Huero Ranch <i>Tract 2526</i>	Major	55	834 ac (15 ac / unit)	Rural Paso Robles	08/14/04	No
Santa Margarita Ranch <i>Tract 2586</i>	Major	111	3,778 ac (34 ac / unit)	Rural Santa Margarita	12/23/08	No
Jespersen Ranch <i>Tract 2811</i>	Minor	6	120 ac (20 ac / unit)	Rural San Luis Obispo	12/31/07	No
Morabito <i>CO 04-0582</i>	Minor	3	56 ac (19 ac / unit)	Rural San Luis Obispo	8/07/06	No
OCW II <i>CO 06-0087</i>	Minor	3	118 ac (39 ac / unit)	Nipomo Valley	11/07/06	No
Linthicum <i>CO 07-0143</i>	Minor	3	144 ac (48 ac / unit)	Edna Valley	01/08/08	No
Gardner <i>CO10-0025</i>	Minor	3	124 ac (41.33 ac /unit)	Edna Valley	04/04/11	No

Source: County of San Luis Obispo Department of Planning and Building Permit Tracking Records

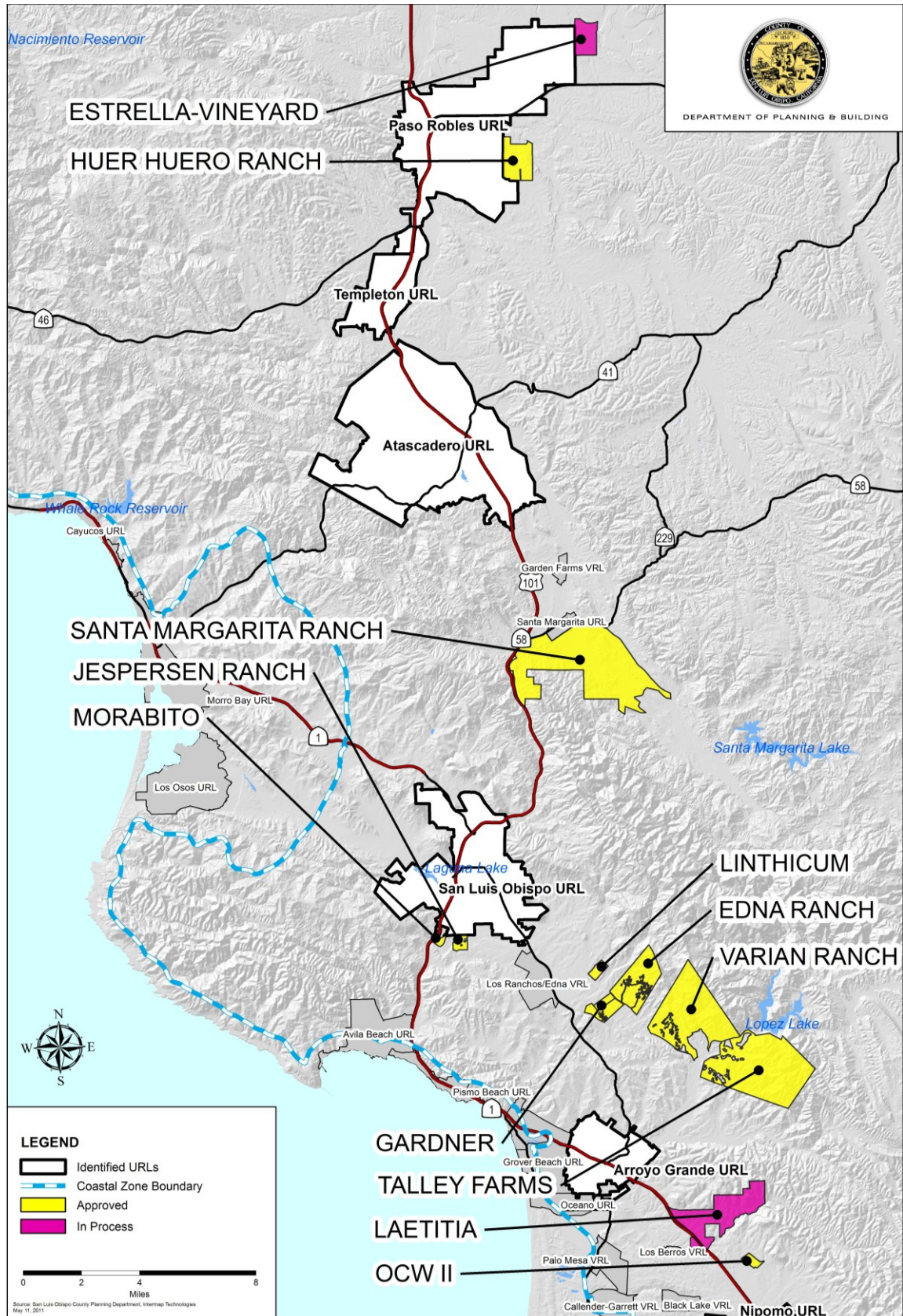
<sup>1</sup> Site areas are approximated.



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**Figure 2.4-1: Approved and Pending Agricultural Cluster Projects**



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## 2.4.2 Board Authorization for Revisions to the Program

On February 17, 2009, the County Board of Supervisors authorized processing of amendments to sections of the Land Use Ordinance that relate to agricultural cluster subdivisions. The Board directed the Department of Planning and Building to consider the following modifications:

- Reduce or eliminate the density bonus;
- Require contiguous residential cluster parcels;
- Protect water supplies for agriculture;
- Require agriculture buffers on residential lots; and
- Require properties to be located closer to urban areas in order to qualify for a cluster subdivision.

In 2008, the Board of Supervisors adopted Strategic Growth principles, which are designed to focus development in existing urban areas with adequate services. The proposed Agricultural Cluster Subdivision Program will improve consistency between the County's land use ordinances and Agriculture Element and the following Strategic Growth principles of the County Land Use Element:

- Preserve open space, scenic natural beauty and sensitive environmental areas. Conserve energy resources. Conserve agricultural resources and protect agricultural land.
- Strengthen and direct development towards existing and strategically planned communities.

## 2.5 PROJECT CHARACTERISTICS

The proposed project consists of revisions to the Land Use Ordinance (Title 22 of the County Code), Coastal Zone Land Use Ordinance (Title 23 of the County Code), and the Agriculture Element of the County General Plan. Table 2.5-1 compares the key features of the existing ordinance and the proposed amendments. A comprehensive summary is provided in Table 2.8-1 at the end of this chapter.

**Table 2.5-1: Comparison of Key Ordinance Features**

Feature	Existing		Proposed	
	Inland	Coastal	Inland	Coastal
Cluster Density Bonus	Major: 100% Minor: 25% (or one parcel)	N/A	No bonus	No bonus
Minimum Cluster Parcel Size	10,000 square feet	N/A	2.5 acres	2.5 acres
Cluster Location	Major: within 5 miles of URL Minor: none	N/A	Within 5 road miles of URL	No distance limitation

*Source: County of San Luis Obispo Department of Planning and Building*



### 2.5.1 Amendments to the Land Use Ordinance (Title 22)

The Land Use Ordinance (LUO), Title 22 of the County Code, is the primary ordinance concerning land use in the Inland portion of the county. The following amendments are proposed to the LUO:

- **Eliminate the distinction between major and minor clusters.** Combining the Major Agricultural Cluster Ordinance (LUO Section 22.22.152) and Minor Agricultural Cluster Ordinance (LUO Section 22.22.154) into a single ordinance (LUO Section 22.22.150) with one set of standards for all eligible properties.
- **Eliminate agricultural cluster subdivision as an option in Rural Lands.** Allowing the agricultural cluster program to be used only in the Agriculture land use category.
- **Allow clusters only within 5 road miles of urban areas.** Modifying agricultural cluster eligibility criteria to include only parcels within the Agriculture land use category that are within five miles of the Urban Reserve Line (URLs) of Arroyo Grande, Atascadero, San Luis Obispo, San Miguel, Nipomo, Templeton, and Paso Robles.
- **Eliminate the density bonus.** Modifying the method for calculating the allowable number of residential cluster parcels and eliminating the residential density bonus.
- **Increase the minimum parcel size.** COSE Policy WR1.9 strongly discourages the formation of new mutual or private water companies in rural areas. Establishing a 2.5 acre minimum size for residential cluster parcels, ~~which~~ would allow each cluster parcel to accommodate individual on-site well and septic systems consistent with COSE Policy WR 1.9.
- **Add design standards.** Adding various site design and development standards to reduce impacts associated with agricultural cluster subdivisions and to protect agricultural lands. Some examples of design provisions include the following:
  - Requiring that cluster lots be physically contiguous to each other.
  - Requiring that clusters be located in a single cluster area (or up to two if environmental conditions warrant this).
  - Clarifying that roads and other residential infrastructure be counted towards the 5 percent developable area.
- **Require protection by an agricultural preservation easement.** Adding a provision that the agricultural open space parcel be covered by an agricultural preservation easement.
- **Add application requirements.** Modifying and expanding application content requirements.
- **Clarify agricultural buffer requirements.** Establish that required agricultural buffers be located on the residential parcels, consistent with the County's agricultural buffer policy.





- **Update section references.** Updating section references throughout.

The proposed amendments would not change LUO Section 22.30.480 or Agriculture Element Policy 5, which allow two primary residences to be constructed on Agriculture-designated parcels of 20 acres or larger in size. However, one of the alternatives evaluated in this EIR would consider changing these sections to allow only one, rather than two, single family residences per parcel in the Agriculture land use category.

### **2.5.2 Amendments to the Coastal Zone Land Use Ordinance (Title 23)**

The Coastal Zone Land Use Ordinance (CZLUO), Title 23 of the County Code, is the primary ordinance concerning land use in the coastal portion of the County. The CZLUO is one component of the County's Local Coastal Program (LCP), which has been certified by the California Coastal Commission. The proposed project would add a new section to Chapter 23.04, which would allow for agricultural lands clustering in the North Coast and Estero planning areas.

Some of the primary differences between the Inland and Coastal programs are as follows:

- **Density based on underlying lots.** The density for an agricultural cluster subdivision in the Coastal Zone would be based on the number of existing legally established underlying lots. As a result, the program would not lead to the creation of new lots in the Coastal Zone. The Inland area instead bases density on the number of parcels achievable with a standard agricultural subdivision.
- **No locational criteria.** Agricultural cluster subdivisions within the Coastal Zone would not be limited to within a specified distance of the identified URLs. The Inland area only extends agricultural clustering provisions to parcels within five road miles of identified URLs.
- **Agricultural viability report required.** An agricultural viability study addressing soils, geography, water, access, history, risk factors, and economic conditions is required to be submitted with the application for subdivision.
- **Cluster required for lot line adjustments.** With the exception of small boundary adjustments ("de minimis lot line adjustment"<sup>2</sup>), lot line adjustments in the Agriculture land use category within the Coastal Zone will be required to adhere to agricultural cluster subdivision requirements.

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<sup>2</sup> "De minimis lot line adjustment" is defined as follows: Lot-line adjustments proposing minor changes in the location of a lot-line for purposes unrelated to future development proposals and that do not result in a significant change in the underlying lot sizes may be determined to be de minimis by the Planning Director. Examples include adjustments to lot-lines to reflect existing improvements such as a fence or road, or a major watercourse or to better situate existing development of the site. De minimis adjustments shall not result in an increase in the number of building sites, buildable lots, or density of permitted development.



- **Modified design provisions.** Design standards applying to the Inland area (e.g. contiguous parcels, single cluster area, etc.) will not apply in the Coastal Zone. Coastal Zone design standards will, however, require such things as compliance with Coastal Plan Policies, reduction of visual impacts, and agrarian design for structures.
- **Modified findings for approval.** Findings for approval differ between the Inland and Coastal ordinances. The Coastal ordinance findings do not include findings pertaining to Inland design requirements (e.g. contiguous parcels, single cluster area, etc.), but do include findings relative to Coastal Plan policies.

### **2.5.3 Amendments to the Agriculture Element of the County General Plan**

The following amendments are proposed to Chapter 2 of the Agriculture Element of the County General Plan:

- Modifying *Agriculture Policy 20: Agricultural Land Divisions* to specify that the creation of residentially sized parcels and the bonus agricultural parcel provide an incentive to landowners to choose the cluster approach as an alternative to a conventional subdivision.
- Modifying *Agriculture Policy 22: Major Agricultural Cluster Projects* to achieve consistency between the Agriculture Element and Agricultural Lands Clustering Ordinance.
- Eliminating *Agriculture Policy 23: Minor Agricultural Cluster Projects*.
- Updating section references throughout.

## **2.6 SUBDIVISION AND DEVELOPMENT POTENTIAL**

This section compares the subdivision and development potential of the proposed amendments to that of the existing agricultural cluster ordinance. As described below, in the Inland portion of the county, the Agricultural Cluster Subdivision Program could result in 418 new residential cluster parcels, representing a 91 percent reduction in comparison to the 4,582 new parcels that could be created under the existing ordinance. These estimates assume that all lands designated Agriculture in the Inland portion of the county would be divided in the future using an agricultural cluster subdivision rather than a conventional land division.

The program would also allow for the reconfiguration of legally established underlying lots in the Coastal Zone to accommodate residential development. To date, 320 such lots have been identified in eligible areas of the Coastal Zone. ~~Many of these lots could already be developed with a single family residence in their current configuration and are therefore unlikely to participate in the agricultural cluster subdivision program. Given the relatively small number of underlying lots that have been verified to date in the Coastal Zone combined with the fact that many of these lots could already be developed under existing regulations, the program is not anticipated to result in a significant number of new cluster lots in the Coastal Zone. Many of these parcels are already developed with residential uses and the vacant parcels have varying capabilities for future development. Some may easily be developed with residential uses~~



without being reconfigured, while others may have environmental or physical constraints that limit their potential under the proposed agricultural cluster subdivision program. This leaves a relatively small number of underlying lots that may ultimately be reconfigured into clustered lots in the Coastal Zone. Nevertheless, the program would allow new residences to be constructed in agricultural areas of the Coastal Zone, but they would be able to be developed in a more compact, environmentally sensitive manner when compared to traditional lot patterning.

### **2.6.1 Development Potential under Proposed Amendments**

Under the proposed amendments, the maximum number of parcels allowed for an agricultural cluster subdivision would equal the number of parcels that would result from a demonstrated conventional land division applying the use test minimum parcel size criteria in Section 22.22.040 of the LUO, except that in no case shall the minimum parcel size be less than 40 acres.

The project area contains 3,718 existing parcels designated Agriculture totaling 181,889 acres (refer to Figure 2.2-2). Seventy percent of these parcels (2,628) are already less than, or equal to, the 40 acre minimum parcel size for determining the allowed residential density for an agricultural cluster subdivision. This leaves 1,090 existing parcels which could be further subdivided through an agricultural cluster subdivision. As a reasonable worst case scenario, it is assumed that these parcels would be divided using an agricultural cluster subdivision (rather than a conventional land division).

Under the proposed amendments, the minimum parcel sizes applied to determine the subdivision potential of the 1,090 eligible parcels would range between 40 and 320 acres depending on the agricultural uses of the individual parcels. This analysis assumes that the existing NRCS soil capability classifications on the eligible parcels would be indicative of the future agricultural uses within the project area.

- **NRCS Class I and II Soils: 50 acre minimum.** Seventeen percent (20,584 acres) of the eligible parcels contain NRCS Class I and II soils. These soils are commonly referred to as “prime soils.” Class I soils are defined by the NRCS as having few limitations that restrict their use. These soils are typically used for vegetables, seed crops, orchards, and other irrigated specialty crops and irrigated field crops. Class II soils are defined by NRCS as having minor or moderate limitations that reduce the choice of plants or that require moderate conservation practices. Uses are very similar to those found on Class I soils. For the purpose of calculating the subdivision potential within the project area, this EIR makes the worst case assumption that all areas with Class I and II soils would be irrigated and planted. Based on the use test minimum parcel size criteria in Section 22.22.040 of the LUO, when assuming irrigation, these areas would qualify for a 40 acre minimum parcel size. However, the proposed requirement for a 2.5 acre minimum residential cluster parcel combined with the 5 percent limitation on residential development effectively limits a cluster subdivision to the density that could be achieved by applying a 50 acre minimum parcel size.
- **NRCS Class III and IV Soils: 50 acre minimum.** Thirty-nine percent (46,584 acres) of the eligible parcels contain NRCS Class III and IV soils. These soils are defined by NRCS



as having moderate to severe limitations that reduce the choice of plants, or that require special conservation practices, or both. In some situations, the Class III soils may be used for some of the crop types that are typically found on Class I and II soils, but are more typically used for specialty crops, forage lands, mixed crop lands, and dry land field crops. Irrigated Class IV soils are commonly used for vineyards. For the purpose of calculating the subdivision potential within the project area, this EIR assumes that all areas with Class III and IV soils would be irrigated and planted. As with the Class I and II soils, when assuming irrigation, these areas would qualify for a 40 acre minimum parcel size under the use test in Section 22.22.040; however, the proposed development standards effectively limit a cluster subdivision to the density that could be achieved by applying a 50 acre minimum parcel size.

- **NRCS Class V - VIII: 320 acre minimum.** Forty-four percent (52,809 acres) of the eligible parcels contain NRCS Class V, VI, VII, and VIII soils. These soils have severe limitations that restrict their use and make them generally unsuitable for any form of cultivation. For the purpose of calculating the subdivision potential within the project area, it is assumed that these areas would be used for rangeland and grazing and would therefore qualify for a 320 acre minimum parcel size when applying the use test in Section 22.22.040.

Based on the NRCS soil capability classifications and associated minimum parcel sizes described above, the existing 1,090 eligible parcels have the potential to be divided into 1,508 new parcels, resulting in a net increase of 418 parcels. Each new residential cluster parcel could be developed with one new single family residence.

**Table 2.6-1: Development Potential under Proposed Amendments**

NRCS Soil Class	Eligible Area (acres)	Minimum Parcel Size (acres)	Potential Parcels	Existing Parcels	New Parcels / SFRs
I and II*	20,584	50	412	<b>1,090</b>	<b>418</b>
III and IV*	46,584	50	932		
V - VIII	52,809	320	165		
<b>Total</b>	<b>119,976</b>		<b>1,508</b>		

*\*Assumed to be irrigated*

Source: County of San Luis Obispo Department of Planning and Building

It should be noted that the proposed ordinance does not include a density bonus, and the maximum number of residential cluster parcels allowed would be based on the number of parcels that would result from a demonstrated conventional land division applying the use test minimum parcel size criteria in Section 22.22.040 of the LUO. Therefore, the Agricultural Cluster Subdivision Program does not change the amount of development that could otherwise occur. Rather, it dictates where it should be located, with the overarching intent of preserving the majority of the site in agricultural production.



## 2.6.2 Development Potential under Existing Ordinance

The existing ordinance provides separate requirements for “major” agricultural cluster projects and “minor” agricultural cluster projects. Major agricultural cluster projects are those located within five miles of an identified urban or village reserve line (URL or VRL), and qualify for a residential parcel bonus of 100%. Minor agricultural cluster projects can be located on any AG or RL parcel in the Inland area of the county and qualify for a parcel bonus of 25%.

Based on the same methodology discussed above in Section 2.6.1, under the existing ordinance, there is a potential for 4,582 new residential cluster parcels on agricultural lands throughout the Inland portion of the county. This includes 1,150 new parcels as a result of “major” cluster projects and 3,422 new parcels as a result of “minor” cluster projects (refer to Table 2.6-2). Twenty-eight percent (1,261) of these parcels is a direct result of the density bonus provisions of the existing ordinance.

**Table 2.6-2: Development Potential under Existing Ordinance**

Project Type	NRCS Soil Class	Eligible Area (acres)	Minimum Parcel Size (acres)	Potential Parcels	Existing Parcels	New Parcels	Density Bonus	Total Parcels / SFRs
Major Cluster	I and II*	28,115	40	703	1,653	575	575	1,150
	III and IV*	70,467	60	1,174				
	V - VIII	112,163	320	351				
<b>Subtotal</b>		<b>210,745</b>		<b>2,228</b>				
Minor Cluster	I and II*	96,044	40	2,401	2,810	2,745	686	3,431
	III and IV*	132,706	60	2,212				
	V - VIII	301,641	320	943				
<b>Subtotal</b>		<b>530,391</b>		<b>5,555</b>				
<b>Total</b>		<b>741,136</b>		<b>7,783</b>	<b>4,463</b>	<b>3,320</b>	<b>1,261</b>	<b>4,581</b>

\*Assumed to be irrigated

Source: County of San Luis Obispo Department of Planning and Building

## 2.7 REQUIRED APPROVALS

Implementation of the proposed amendments would require review by the Planning Commission and adoption by the Board of Supervisors for revisions being made to the Land Use Ordinance, Coastal Zone Land Use Ordinance, and Agriculture Element of the County General Plan.

Additionally, since the Coastal Zone Land Use Ordinance is part of the County’s Local Coastal Program (LCP), modifications to the LCP must also be submitted to the California Coastal Commission for review and approval.

Individual agricultural cluster subdivision projects that could occur under the new or revised ordinances and Agriculture Element policies would require Conditional Use Permit and tentative map review by the Department of Planning and Building and approval by the County Planning Commission or Subdivision Review Board. As part of this process, each project will be evaluated



under CEQA and receive an environmental determination. Appropriate mitigation measures to mitigate any potentially significant environmental impacts will be applied through this process. Additionally, any project where potentially significant impacts cannot be mitigated would be subject to a project-specific EIR.

Depending on location, scope, and effect on resources, other local, state, and federal agencies may also require permits of individual development proposals. These agencies may include the California Department of Fish and Game, the Army Corps of Engineers (including U.S. Fish and Wildlife Service consultation), Air Pollution Control District, and State Water Resources Control Board (a National Pollutant Discharge Elimination System (NPDES) permit). Permits from these agencies would not be required to approve the proposed revisions themselves.





## 2.8 PROGRAM SUMMARY

Table 2.8-1 summarizes the various features of the existing Land Use Ordinance standards and Agriculture Element policies governing agricultural cluster subdivisions and how these provisions would be modified under the proposed project.

**Table 2.8-1: Program Summary**

Feature	Existing	Proposed
<b>Land Use Ordinance Section 22.22.150: Agricultural Lands Clustering</b>		
<b>Locational Criteria</b>	<ul style="list-style-type: none"> <li>Major clusters are limited to AG and RL designated parcels within five miles of Arroyo Grande, Atascadero, San Luis Obispo, San Miguel, Nipomo, Templeton, Paso Robles, and Santa Maria URLs, and Creston VRL.</li> <li>No clustering provisions in the Coastal Zone.</li> <li>Minor clusters are limited to AG and RL designated parcels (no URL distance limitation).</li> <li>Excludes properties located in Arroyo Grande, Cienega, and Oso Flaco valleys</li> <li>Williamson Act lands may be used for density calculations; however, cluster parcels may not be established on contracted lands.</li> </ul>	<ul style="list-style-type: none"> <li>No distinction between major and minor cluster subdivisions.</li> <li>In the Inland area, agricultural cluster subdivisions are limited to AG designated parcels within five road miles of identified URLs (excluding Santa Maria and Creston VRL).</li> <li>Clusters allowed on AG designated parcels in the North Coast and Estero planning areas of the Coastal Zone. Hearst Ranch is excluded from the program.</li> <li>Excludes Williamson Act lands entirely.</li> <li>Excludes properties within RL category.</li> </ul>
<b>Density Calculation</b>	<ul style="list-style-type: none"> <li>For major clusters, the maximum number of allowed parcels equals the number of primary dwellings allowed on parcels that could result from a presumed conventional subdivision.</li> <li>For minor clusters, the maximum number of allowed parcels equals the number of parcels that could result from a presumed conventional subdivision plus a 25%</li> </ul>	<ul style="list-style-type: none"> <li>In the Inland area, the number of allowed residential parcels equals the number of parcels that could result from a demonstrated conventional subdivision applying the “use” test only, except the minimum parcel size can be no less than 40 acres.</li> <li>In the Coastal Zone, the number of allowed parcels</li> </ul>



Feature	Existing	Proposed
	<p>density bonus (or at least one parcel).</p> <ul style="list-style-type: none"> <li>The number of allowed parcels can be determined by applying either “use” or “soil capability” test.</li> </ul>	<p>equals the number existing underlying lots.</p> <ul style="list-style-type: none"> <li>Agricultural parcel as density bonus. No residential density bonus.</li> </ul>
<b>Maximum Allowed Development Area</b>	<ul style="list-style-type: none"> <li>Major clusters: 5% of total site area.</li> <li>Minor clusters: 10% of total site area.</li> </ul>	<ul style="list-style-type: none"> <li>5% of total site area.</li> <li>Further clarifies what residential components are included in the 5% area.</li> </ul>
<b>Minimum Cluster Parcel Size</b>	<ul style="list-style-type: none"> <li>10,000 square feet for major clusters.</li> <li>20,000 square feet for minor clusters.</li> </ul>	<ul style="list-style-type: none"> <li>2.5 acres</li> </ul>
<b>Maximum Cluster Parcel Size</b>	<ul style="list-style-type: none"> <li>Major: 2.5 acres</li> <li>Minor: 5 acres</li> </ul>	<ul style="list-style-type: none"> <li>Parcel may be increased in size up to 5 acres when doing so is necessary to accommodate the required agricultural buffers on the residential parcel.</li> </ul>
<b>Allowed Structural Uses on Cluster Parcels</b>	<ul style="list-style-type: none"> <li>One dwelling unit.</li> </ul>	<ul style="list-style-type: none"> <li>Each residential cluster parcel shall be limited to one residence and residential accessory structures.</li> </ul>
<b>Layout and Design Standards</b>	<ul style="list-style-type: none"> <li>Cluster residential development to the maximum extent feasible so as to not interfere with agricultural production.</li> <li>No residential development allowed on prime soils.</li> <li>Residential building sites and access roads shall be located to avoid impacts to adjacent agricultural operations.</li> <li>Roads and building sites shall be located to minimize site disturbance, environmentally sensitive habitat areas, and visibility.</li> <li>Projects shall comply with adopted agricultural buffer</li> </ul>	<ul style="list-style-type: none"> <li>No residential development allowed on prime farmland.</li> <li>Residential cluster parcels shall be physically contiguous to each other.</li> <li>Residential parcels shall be located as close as possible to existing access roads.</li> <li>When possible, new road or driveway development shall be avoided.</li> <li>Projects shall comply with adopted agricultural buffer policies. Further clarifies that agricultural buffers shall be located within the residential development area,</li> </ul>



Feature	Existing	Proposed
	<p>policies.</p> <ul style="list-style-type: none"> <li>• When possible, new road or driveway development shall be avoided.</li> </ul>	<p>not on the agricultural parcel.</p>
<b>Agricultural Land Preservation</b>	<ul style="list-style-type: none"> <li>• Permanent agricultural open space easement required on 95% of project site for major clusters and 90% of the site for minor clusters.</li> <li>• Agricultural open space parcel shall be the minimum size to qualify as a separate agricultural parcel.</li> <li>• Agricultural open space parcel shall qualify for a standalone Williamson Act preserve and contract.</li> <li>• Agricultural open space parcel may not include any portion of residential cluster parcels.</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent agricultural easement required on 95% of the project site.</li> <li>• The agricultural preservation area shall be a single parcel of a minimum size to qualify as a separate agricultural parcel.</li> <li>• The agricultural preservation area shall qualify for a standalone Williamson Act preserve and contract</li> <li>• Agricultural preservation area may not include any portion of residential cluster parcels.</li> </ul>
<b>Water and Wastewater Systems</b>	<ul style="list-style-type: none"> <li>• Community water systems are required for parcels less than 2.5 acres in size.</li> <li>• Parcels less than one acre are allowed only where the leaching capacity of site soils for septic tank use is from 0 to 5 minutes per inch, or where community sewer is provided.</li> </ul>	<ul style="list-style-type: none"> <li>• Each cluster parcel shall be designed and developed to provide for individual on-site water and wastewater systems.</li> <li>• Community water and wastewater systems are not allowed.</li> </ul>
<b>Application Content</b>	<ul style="list-style-type: none"> <li>• Written explanation of how project meets required findings</li> </ul>	<ul style="list-style-type: none"> <li>• Written explanation of how project meets required findings.</li> <li>• Demonstration of conventional subdivision qualification.</li> <li>• Demonstration of agricultural history.</li> <li>• Hydrogeologic analysis verifying adequate water availability for anticipated residential use without impacting supplies for existing and future agricultural</li> </ul>



**Section 2.0 Project Description**

Feature	Existing	Proposed
		<p>operations.</p> <ul style="list-style-type: none"> <li>• Written justification for cluster development.</li> <li>• Draft Covenants, Conditions, and Restrictions.</li> </ul>
<b>Agriculture Element of the County General Plan</b>		
Policy	Existing	Proposed
<b>20: Agricultural Land Divisions</b>	<ul style="list-style-type: none"> <li>• Identifies cluster subdivisions as an alternative to conventional “lot split” divisions.</li> <li>• Specifies that agricultural subdivisions should ensure long-term protection of agricultural resources.</li> </ul>	<ul style="list-style-type: none"> <li>• Update text to reflect proposed ordinance amendments.</li> <li>• Addition of design criteria to ensure protection of long-term agricultural resources, consistent with proposed ordinance amendments.</li> </ul>
<b>Policy 22: Major Ag Cluster Projects</b>	<ul style="list-style-type: none"> <li>• This policy contains requirements for major agricultural cluster subdivisions.</li> </ul>	<ul style="list-style-type: none"> <li>• Amend policy consistent with proposed ordinance amendments for all agricultural cluster subdivisions.</li> </ul>
<b>Policy 23: Minor Ag Cluster Projects</b>	<ul style="list-style-type: none"> <li>• This policy contains requirements for minor agricultural cluster subdivisions</li> </ul>	<ul style="list-style-type: none"> <li>• Delete policy since the proposed amendments would eliminate the distinction between major and minor clusters.</li> </ul>

